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NOTE BY THE PRESIDENT OF THE SECURITY COUNCIL

The attached letter, dated 22 February 1991, was addressed to the President of the Security Council by the Permanent Observer of the Democratic People's Republic of Korea to the United Nations. In accordance with the request contained in the letter, the text is being circulated as a document of the Security Council.

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Annex

Letter dated 22 February 1991 from the Permanent Observer of the Democratic People's Republic of Korea to the United Nations addressed to the President of the Security Council

I have the honour to forward to you the aide-mémoire of 20 February 1991 of the Ministry of Foreign Affairs of the Democratic People's Republic of Korea on United Nations membership.

I request that this letter, together with the enclosed aide-mémoire of the Ministry of Foreign Affairs, be circulated as a document of the Security Council.

(Signed) PAK Gil Yon
Ambassador
Permanent Observer

Enclosure

Aide-mémoire dated 20 February 1991 from the Ministry of Foreign Affairs of the Democratic People's Republic of Korea on United Nations membership

The Ministry of Foreign Affairs of the Democratic People's Republic of Korea deems it necessary to clarify its official position in connection with "unilateral United Nations membership" pursued by the south Korean authorities and makes public this aide-mémoire.

A

Our country's membership in the United Nations should be settled on the basis of agreement between the north and the south favourable to national reunification.

The Government of the Democratic People's Republic of Korea has maintained through the years, since its foundation, that United Nations membership is directly and inseparably related to national reunification.

The failure to achieve the correct solution to United Nations membership will inevitably raise further obstacles to the reunification of the country.

Accordingly, we maintain our consistent position to initiate reunification-oriented proposals in connection with United Nations membership and make every effort for their realization.

The Government of the Democratic People's Republic of Korea considers it best to enter the United Nations under a single State-name after reunification through confederation. But if it is on condition that the north and the south enter the United Nations with a single seat, it will have no objection to holding United Nations membership even before reunification.

Such position represents the firm will of the Korean nation to achieve the reunification at the earliest date as well as gives due consideration to the stand of the south Korean authorities calling for a hasty solution to United Nations membership.

If United Nations membership with a single seat is admitted, it will help to open up a new phase for peace and peaceful reunification on the Korean peninsula.

United Nations membership with a single seat for the north and the south appears realistic at present.

The north and the south have reached complete agreement on the participation of unified teams of the north and the south in the forty-first world table-tennis championships and the sixth world youth soccer championships at the recently held fourth inter-Korean sports talks.

This precedent eloquently shows that, if the north and the south pull together in conformity with the interests of the whole nation, United Nations membership could also be solved in a way conducive to the reunification.

If a fair solution to United Nations membership favourable to reunification is to be achieved, it should be based on agreement between the north and the south.

If United Nations membership is handled in favour of the stand of one side with no agreement between the north and the south, it will create other obstacles to national reunification and cause serious consequences by further aggravating the confrontation between the north and the south.

The Government of the Democratic People's Republic of Korea suggested, out of such a viewpoint, that the measures towards United Nations membership should appear as the top current agenda item for discussion in the north-south high-level talks led by prime ministers that have been held for the first time in the history of the country's division.

The south Korean authorities also admitted that United Nations membership is an internal question to be discussed and settled between the north and the south and agreed to negotiate it as a priority issue at the north-south high-level talks.

Accordingly, admission to the United Nations with a single seat has been discussed at the three rounds of the north-south high-level talks and several delegate-level talks.

We have suggested, at the talks, detailed proposals of cooperation, which substantially guarantee confidence and unity between the north and the south in the United Nations forum.

Through this process, we came to witness the commonness of the north and the south in achieving national unity and maintaining reunification-oriented relations of cooperation in the forum of the United Nations and, at the same time, became confident that, if both sides show flexibility in the coming talks, an agreement on United Nations membership is sure to be reached.

The Government of our Republic considers that the joint admission to the United Nations with a single seat is the most reasonable approach to the settlement of United Nations membership; however it keeps its big-minded position unchanged to negotiate on any solutions to United Nations membership if they are conducive to national reunification.

B

If south Korea's "unilateral United Nations membership" is admitted, it will strain north-south relations to the extreme and eventually create further tension on the Korean peninsula.

The issue of United Nations membership should continue to be discussed at the forthcoming north-south high-level talks, to be agreed upon.

Notwithstanding this, the south Korean authorities, strange to say, attempt to force their "unilateral admission to the United Nations" claiming that United Nations membership is not a question to be dealt with between the north and the south.

If the south Korean authorities give up the negotiation on United Nations membership, the agenda item at the ongoing north-south high-level talks, but dare to enter the United Nations unilaterally, it will be an open challenge and treacherous act against the dialogue partner and a sort of declaration of breaking off the dialogue.

Since the south Korean authorities, through "unilateral admission to the United Nations", seek to perpetuate "two Koreas" and eventually create an international environment to realize their dream of "reunification by absorption", we cannot but take it seriously as a challenge to the desire for national reunification and an intolerable insult to our sovereignty.

No one can predict what sort of events may happen on the Korean peninsula if the "unilateral United Nations membership" of south Korea is forcibly admitted when the political and military confrontation between the north and the south grows more acute than ever before owing to the "Team Spirit '91" joint military exercises being staged by the United States and the south Korean authorities.

The south Korean authorities should put an end to their reckless attempt for "unilateral United Nations membership" if they are really interested in the dialogue, reconciliation and national reunification.

If the south Korean authorities dare to enter the United Nations unilaterally, however, they will have to take full responsibility for all consequences therefrom and inevitably get stern judgement as separatists from our people and history.

We are convinced that a new prospect will surely be brought up in the solution of United Nations membership when a reunification-oriented climate is ensured together with progress in the inter-Korean dialogue and adoption of a non-aggression declaration.

The Government of the Democratic People's Republic of Korea expresses its belief that all States Members of the United Nations desirous of peace and peaceful reunification on the Korean peninsula will show their understanding and support of our position to solve United Nations membership through the north-south dialogue conducive to the peace and peaceful reunification.

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LETTER DATED 22 FEBRUARY 1991 FROM THE PERMANENT REPRESENTATIVE OF THE LIBYAN ARAB JAMAHIRIYA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith the statement issued after the meetings of the Council of Ministers of the Arab Maghreb Union, held in the city of Benghazi, Libya, on 20 February 1991.

I would be grateful if you would kindly have the text of this statement circulated as a document of the Security Council.

(Signed) Dr. Ali A. TREIKI
Permanent Representative

Annex

Statement issued following the meeting of the Council of Ministers for Foreign Affairs of the Arab Maghreb Union, held in the city of Benghazi, Libya, on 20 February 1991

The Council of Ministers for Foreign Affairs of the Arab Maghreb Union, during its emergency meeting in the city of Benghazi in the Socialist People's Libyan Arab Jamahiriya on 20 February 1991, after reviewing the serious situation resulting from the devastating war that is currently being waged in the Gulf region, and in continuation of its endeavours, including its request for a meeting of the Security Council in order to arrange a cease-fire and provide an opportunity to find a political solution to the Gulf crisis,

Expressing its deep regret at the Security Council's failure to respond by holding a public meeting to arrange a cease-fire,

Decides as follows:

1. The Council regards the Iraqi initiative, expressing willingness to deal on the basis of Security Council resolution 660 (1990), as a positive step towards the achievement of a political solution to the Gulf crisis, within the context of international legality, calls upon all the parties to respond to that initiative, and emphasizes the fact that Iraq's acceptance of the said resolution removes all justification for the continuation of this war.

2. The Council, recalling the position that it adopted on 3 September 1990 at Algiers, comprising a categorical rejection of the use of force to settle disputes, rejects the policy of starving, and impairing the capabilities of, the Iraqi people and condemns the brutal bombardment of innocent civilians in Iraq and Kuwait, as well as the deliberate and comprehensive destruction of Iraq's capabilities, including its infrastructure, with a view to the annihilation of its economic and scientific institutions and its cultural heritage, as flagrantly transcending the resolutions of the United Nations Security Council.

3. The Council draws attention to the real dangers arising from the showering of material, political and military aid on the Zionist entity, which has taken advantage of the war in the Gulf in order to strengthen its military and economic capabilities.

4. The Council affirms its ongoing support for the just struggle of the Palestinian people, under the leadership of the Palestine Liberation Organization, their sole legitimate representative, and for the Palestinian people's tempestuous uprising against the Zionist occupation and their resistance to the various methods of Zionist repression.

5. In view of the grave developments that the Arab nation is experiencing, the Council calls for an urgent meeting of the Ministers for Foreign Affairs of the Arab States, to be held in one of the Maghreb capitals, for the purpose of studying the Arab situation in such a way as to ensure the preservation of the higher interests and the capabilities of the Arab nation and the restoration of Arab solidarity.

6. The Council takes note of the appeal made to it by the European Economic Community, and the Council of Ministers will be contacting the Presidency of the EEC in this connection.

Issued on 20 February 1991

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22 February 1991

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LETTER DATED 21 FEBRUARY 1991 FROM THE PERMANENT REPRESENTATIVES OF AUSTRALIA, CANADA, JAPAN, POLAND AND THE UNITED STATES OF AMERICA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

As parties to the Treaty on the Non-Proliferation of Nuclear Weapons, the undersigned Governments wish to address themselves to the statement of the Foreign Ministry of the Democratic People's Republic of Korea, issued on 16 November 1990, and circulated as Security Council document S/21957 and International Atomic Energy Agency Board of Governors document GOV/INF/594.

The undersigned Governments call on the Government of the Democratic People's Republic of Korea to recall that Article III of the Treaty on the Non-Proliferation of Nuclear Weapons requires a non-nuclear-weapon State party to accept safeguards, as set forth in an agreement to be negotiated and concluded with the International Atomic Energy Agency, on all source and special nuclear material in all its peaceful nuclear activities. Equally clear is the obligation in Article III for the non-nuclear-weapon State party to have the agreement enter into force not later than eighteen months after the initiation of negotiations. A State party cannot condition this undertaking on the actions of another State party to the Treaty, on separate negotiations with another State, or on conclusion of another agreement such as one relating to a nuclear-weapons-free zone.

The undersigned Governments affirm that it is not acceptable that, in the above-mentioned statement, the Government of the Democratic People's Republic of Korea tries to justify its non-fulfilment of the Treaty on the Non-Proliferation of Nuclear Weapons obligations by conditioning it on the actions of another country. Moreover there is no basis for the Democratic People's Republic of Korea's implication that the United States is not fulfilling its treaty obligations by virtue of its security arrangement with the Republic of Korea. Nor is there any other basis for concluding that the United States has not discharged its obligations under the Treaty.

The Democratic People's Republic of Korea incorrectly implies that the International Atomic Energy Agency takes the position that the question of the safeguards agreement has not been solved because of relations between the Democratic People's Republic of Korea and the United States. The International

Atomic Energy Agency Secretariat has taken note that the Democratic People's Republic of Korea is conditioning its signature of the safeguards agreement on receipt of assurances from the United States regarding use of nuclear weapons and that the question of such assurances must be left to the two countries to work out. The International Atomic Energy Agency has not taken the position that conclusion of the safeguards agreement can legitimately be linked to such assurances.

The undersigned Governments call on the Democratic People's Republic of Korea to conclude and implement a full scope safeguards agreement with the International Atomic Energy Agency immediately and thus to fulfil its obligations as a State party to the Treaty on the Non-Proliferation of Nuclear Weapons.

We would appreciate it if you could arrange for this letter to be circulated as a document of the Security Council.

(Signed) Peter WILENSKI
Ambassador
Permanent Representative of
Australia to the United Nations

(Signed) L. Yves FORTIER, Q.C., O.C.
Ambassador
Permanent Representative of
Canada to the United Nations

(Signed) Yoshio HATANO
Ambassador
Permanent Representative of
Japan to the United Nations

(Signed) Dr. Stanislaw PAWLAK
Ambassador
Permanent Representative of
Poland to the United Nations

(Signed) Thomas R. PICKERING
Ambassador
Permanent Representative of the
United States of America to the
United Nations